

STIPULATION AGREEMENT

THIS AGREEMENT is entered into by the United States Department of Agriculture, Animal and Plant Health Inspection Service (“APHIS”), Animal Care, and Gary Vanderholm (previously doing business as Newport Feed & Pet, L.L.C.) with reference to the following facts:

I. Gary Vanderholm was a licensed exhibitor under the Animal Welfare Act (7 U.S.C. § 2131 *et seq.*) (the “AWA”), and held AWA license number 82-C-0062, in connection with the animal facility located at E. 207 4th Street, North, Oldtown, Idaho 83822.

II. APHIS has documented evidence of Gary Vanderholm’s non-compliance with the AWA and the regulations promulgated thereunder (9 C.F.R. § 1.1 *et seq.*), and specifically, has documented evidence of Gary Vanderholm’s exhibition of a tiger without a valid license and of his failure to maintain facilities in good repair, as required by sections 9 C.F.R. § 2.1(a), 9 C.F.R. §3.31(b), and 9 C.F.R. § 3.53(a)(1) of the AWA regulations and AWA standards for the humane handling and treatment of animals. On September 22, 2009, Gary Vanderholm’s AWA license number 82-C-0062 expired.

III. APHIS has not instituted an administrative enforcement action based on the findings described above in paragraph II.

IV. APHIS and Gary Vanderholm have determined to settle the issues related to the potential violations of the AWA and the regulations and standards issued thereunder, as described above.

NOW, THEREFORE, it is agreed as follows:

A. Gary Vanderholm admits that the Secretary has jurisdiction in this matter, and waives oral hearing and further procedure.

B. Gary Vanderholm consents and agrees to the following: As of September 22, 2009 AWA license number 82-C-0062 is hereby revoked. Gary Vanderholm and any partnership, firm, corporation or other legal entity that he controls or in which he has a substantial interest, financial or otherwise, are permanently disqualified from (a) obtaining an Animal Welfare Act license, and (b) engaging in activities governed by the Animal Welfare Act (7 U.S.C. § 2131 *et seq.*) and regulations issued thereunder (9 C.F.R. § 1.1 *et seq.*), either directly or indirectly, on or off E. 207 4th Street, North, Oldtown, Idaho 83822.

C. Gary Vanderholm consents and agrees that his failure to comply with the terms of this Agreement shall automatically void paragraph D below, and that APHIS shall have the right to immediately institute enforcement proceedings against Gary Vanderholm based upon the non-compliant items documented at E. 207 4th Street, North, Oldtown, Idaho 83822 in connection with animal welfare investigation ID10003-AC and any future violations, and to pursue any and all remedies available to APHIS under the AWA.

D. For and in consideration of Gary Vanderholm's agreements and actions described in paragraph B above, and the promises and admissions of Gary Vanderholm set forth herein, APHIS agrees not to institute an administrative or civil enforcement action against Gary Vanderholm in connection with the alleged AWA violations documented in animal welfare investigation ID10003-AC.

APHIS and Gary Vanderholm warrant and represent that their respective representatives, whose signatures appear below, have the authority to execute this Agreement and to bind each of the parties, respectively, to this Agreement.

[REDACTED]

Date: _____

U.S. DEPARTMENT OF AGRICUTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICES

Date: _____

[REDACTED]